

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA

IN THE MATTER OF:) CASE NO. BK10-43532
STEVEN D. WEINRICH and) CHAPTER 12
KATHLEEN R. WEINRICH,)
Debtors.)

MOTION FOR USE OF CASH COLLATERAL AND 9013 NOTICE

COME NOW Steven D. Weinrich and Kathleen R. Weinrich, Debtors herein, and for their MOTION FOR USE OF CASH COLLATERAL, state as follows:

1. That the Debtors filed their Voluntary Petition under Chapter 12 on November 24, 2010.
2. That the Secured Creditor, Citizens State Bank, holds a security interest in Debtors' machinery and equipment, vehicles, crops and cattle.
3. That the income of the Debtor Kathleen R. Weinrich is not adequate to pay the necessary expenses of the Debtors and the Secured Creditor, Citizens State Bank, has denied use of any cash collateral for the Debtors to pay expenses.
4. That the insurance on Debtors' vehicles is due; that the insurance on Debtors' machinery and equipment is due; that Debtors need to grind hay to feed cattle and purchase protein for said cattle; that Debtors do not have enough post-petition income to pay their necessary and ordinary living expenses.
5. That Debtors wish to sell three or four weigh-up cows and use said proceeds to pay insurance, feed and purchase necessary proteins for cattle, and pay their ordinary and necessary living expenses.
6. That the Secured Creditor, Citizens State Bank, has sufficient collateral to have its claim fully secured.
7. That the funds are necessary to protect the collateral of the Secured Creditor, Citizens State Bank.

WHEREFORE, Debtors request that the Court enter an Order allowing the Debtors to sell cattle and use the proceeds as set forth above, and for such other and further relief as deemed appropriate by the Court.

STEVEN D. WEINRICH and
KATHLEEN R. WEINRICH, Debtors

JEFFREY, HAHN, HEMMERLING
& ZIMMERMAN, P.C., L.L.O.
Attorneys at Law
5640 S. 84th St., Ste. 100
Lincoln, NE 68516
(402) 483-7711

By /s/ John C. Hahn, #15068

9013 NOTICE

TO ALL CREDITORS, PARTIES IN INTEREST AND TRUSTEE:

Please take notice that the Debtors above named have filed their MOTION FOR USE OF CASH COLLATERAL on December 23, 2010 with the United States Bankruptcy Court for the District of Nebraska, Lincoln, Nebraska.

Pursuant to Neb. R. Bankr. P. 9013-1 and the Court's order of shortened bar date (Filing #22), notice is given to all parties in interest, all creditors and the Chapter 12 Trustee that pursuant to the any resistance or objection to the Debtors' MOTION FOR USE OF CASH COLLATERAL shall be filed on or before December 30, 2010.

If no resistance or objection is filed on or before December 30, 2010 the Court shall enter an ORDER APPROVING MOTION FOR USE OF CASH COLLATERAL in accordance with Neb. R. Bankr. P. 3020. The Court shall consider such submission of the ORDER APPROVING MOTION FOR USE OF CASH COLLATERAL as meaning that no further hearing be scheduled and will consider entry of the ORDER without further notice.

All resistance to any motion shall set forth the specific factual and legal basis and conclude with a particular request for relief.

DATED this 23rd day of December, 2010.

STEVEN D. WEINRICH and
KATHLEEN R. WEINRICH, Debtors

JEFFREY, HAHN, HEMMERLING
& ZIMMERMAN, P.C., L.L.O.
Attorneys at Law
5640 S. 84th St., Ste. 100
Lincoln, NE 68516
(402) 483-7711
By /s/ John C. Hahn, #15068

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing was served upon the following by electronic transmission on this 23rd day of December, 2010.

US Trustee
Chapter 12 Trustee
Citizens State Bank c/o Scott A. Gray, its attorney

/s/ John C. Hahn, #15068
Attorney of Record